IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 29056 of 2006(H)

AGAINST THE ORDER IN EP.298/2006 IN
OS.1785/2001 of PRL.M.C.,TRIVANDRUM
.....

PETITIONER:

K.SUKU, AGED 50 YEARS, S/O. KRISHNAN,
BLOCK NO.236, RAJAJI NAGAR, G.P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.TITUS THOMAS
SRI.L.RAM MOHAN

RESPONDENT:

B.K.RAJAMMA, D/O. KUNJALI,
BLOCK NO.401, RAJAJI NAGAR, G.P.O.,
THIRUVANANTHAPURAM.

R1 BY ADV. SRI.C.E.UNNIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE AFFIDAVIT FILED BY THE RESPONDENT.

EXT.P2: COPY OF THE OBJECTION SUBMITTED BY THE PETITIONER/JUDGMENT DEBTOR.

EXT.P3: COPY OF THE SALARY CERTIFICATES FROM JANUARY 2006 TO AUGUST 2006.

EXT.P4: COPY OF THE ORDER DATED 27.10.2006 IN E.P.No.298/2006 IN O.S.No.1785/2001 OF THE PRINCIPAL MUNSIFF'S COURT, THIRUVANANTHAPURAM.

TRUE COPY

P.A.TO JUDGE

M.N.KRISHNAN,J

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W.P.(C).No.29056 of 2006

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Dated this the 15th day of June, 2007

JUDGMENT

This writ petition is filed challenging the order of the Principal Munsiff, Thiruvananthapuram in E.P.No.298 of 2006 in O.S.No.1785 of 2001. It is submitted that it was an ex parte decree and the said ex parte decree has been set aside by the IInd Additional District Court, Thiruvananthapuram as per order in C.M.A.No.137 of 2005. When it is so, nothing survive for execution and therefore the writ petition is dismissed as not necessary.

M.N.KRISHNAN,JUDGE

dvs